

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
September 19, 2007**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., September 19, 2007, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andrew Kunasek, Vice Chairman, District 3; Don Stapley, District 2 and Mary Rose Wilcox, District 5. Absent: Max W. Wilson, District 4. Also present: Lori Pacini, Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Supervisor Mary Rose Wilcox, District 5, delivered the invocation.

PLEDGE OF ALLEGIANCE

Mark Rodriguez, Urban Fellow from San Antonio, Texas, working on assignment in the County Manager's Office, led the assemblage in the Pledge of Allegiance.

PRESENTATION

1. THE ARTHUR NEU AWARD FOR EXCEPTIONAL POLICY DEVELOPMENT PRESENTED TO SUPERVISOR STAPLEY

Supervisor Don Stapley was presented with the National Association of Probation Executives' (NAPE) Arthur Neu Award for Exceptional Policy Development and was also given a \$500 stipend to donate to the charity of his choice. This award recognizes Supervisor Stapley's outstanding public service and exceptional policy development, particularly concerning efforts on behalf of those with serious mental illness in the criminal justice system. Presentation was made by Barbara Broderick, Chief, Adult Probation Department, on behalf of the National Association of Probation Executives. (C4208002900) (ADM650-001)

Ms. Broderick said this award recognizes Supervisor Stapley's 20-month leadership of a multi-agency taskforce to determine how to provide better service to individuals who are seriously mentally ill and who, too often, end up in the County's justice system. She presented Supervisor Stapley with the NAPE Arthur Neu Award plaque and \$500 award check.

Supervisor Stapley accepted the plaque on behalf of the entire Board and the County saying that many people had worked very hard, not only to raise awareness on the seriously mentally ill situation at the jails, but in actually doing something constructive to solve the problem through the coalescence. He added that there is still a lot of work to do and the work will continue. He thanked Supervisor Kunasek for his work and commitment as co-chair of the taskforce. Mr. Stapley said the \$500 would be donated to the 100 CLUB in honor of the Phoenix Police Officer who was shot and killed in the line of duty this week.

Chairman Brock lauded Supervisor Stapley on his work for the seriously mentally ill who are, too often, unable to help themselves or make their voices heard. He explained that Arizona does not fund enough rehabilitation and therapy for the seriously mentally ill at the State level and encouraged legislators to become cognizant of the problem and to legislate the help that has been ignored for too long.

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S-1. PROCLAMATION

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (4-0-1) to approve a Proclamation in honor of Pete "Big Dog" Garcia upon his retirement as President of Chicanos Por La Causa. Portions of the proclamation citing Mr. Garcia's many contributions were read by Supervisor Wilcox. Several Supervisors related stories of their personal history and memories with Mr. Garcia, who was not present at the meeting. (ADM654)

**PROCLAMATION
Pete Garcia - Rewiring Not Retiring Day**

WHEREAS, Pete Garcia has provided his outstanding vision of developing lives and communities to their fullest potential through his leadership as CEO of Chicanos Por La Causa since 1984; and

WHEREAS, under his leadership Chicanos Por La Causa has grown into the second largest non-profit in the United States, starting in 1969 with a \$30,000 grant and growing to invest over 50 million dollars in people and the community every year; and

WHEREAS, the focus of Chicanos Por LA Causa includes extensive and critically important work in the areas of education, housing, social services, economic development and cultural development; and

WHEREAS, Chicanos Por La Causa has been the "first home" and a training ground for many of our leaders in the County, State and Nation; and

WHEREAS, a listing of the partners of Chicanos Por La Casua developed under the leadership of Pete Garcia reflects the broadest imaginable inclusion of our community's personal, corporate, governmental and charitable leadership; and

WHEREAS, Maricopa County is proud to partner with CPLC in the field of HIV/AIDS services delivery over \$1 million in services; and

WHEREAS, Maricopa County is working in cooperation with CPLC to establish a Westside Public Health Satellite Office in order to more readily provide an array of Public Health Services throughout Western Maricopa County; and

WHEREAS, Maricopa County appreciates CPLC employees who have served on numerous Boards and Commissions, including: the Industrial Development Board, Maricopa Integrated Health System, Public Health Board and Ryan White Planning Council; and

WHEREAS, Pete Garcia is affectionately known as "Big Dog" due to his reputation of a leader who gets things done; and

WHEREAS, his charitable involvement is unprecedented and Pete Garcia will be establishing a new foundation in honor of his mother, the Victoria Foundation, to continue his legacy of service and to strengthen our shared community;

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THEREFORE BE IT RESOLVED that it is my great pleasure to proclaim this 20th day in September, two-thousand-and-seven, PETE GARCIA –REWIRING NOT RETIRING DAY in Maricopa County, Arizona.

DATED this 19TH day of September 2007.

/s/ Fulton Brock, Chairman of the Board
/s/ Don Stapley, Supervisor, District 2
/s/ Andy Kunasek, Supervisor, District 3
/s/ Max W. Wilson, Supervisor, District 4
/s/ Mary Rose Wilcox, Supervisor, District 5

ATTEST:
Lori Pacini, Deputy Clerk of the Board

STATUTORY HEARINGS

Clerk of the Board

2. PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, Chairman Brock called for a public hearing on the following liquor license applications. This hearing will determine the recommendation the Board of Supervisors will make to the State Liquor Board to grant or deny the license.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license applications:

- a. Application filed by Mark David Starr for a Permanent Extension of Premises of a Series 6 Liquor License: (MCLL A664-96) (AZ06070118) (F23221)

Business Name: Roadrunner Operating Company, Inc.
Location: 47801 N. Black Canyon Hwy, New River, 85087

- b. Application filed by Roger J. Scharenbroich for a Special Event Liquor License: (SELL796) (F23221)

Business Name: Knights of Columbus #12144
Location: 9728 Palmeras, Sun City, 95373
Date/Time: October 27, 2007, 5:00 pm – 1:00 am

- c. Application filed by Donald E. Majdecki for a Special Event Liquor License: (SELL797) (F23221)

Business Name: Catholic Daughters of America
Location: 15800 Del Webb Boulevard, Sun City, 85351
Date/Time: October 15, 2007, 3:00 pm – 7:00 pm

- d. Application filed by Luis Ibarra for a Special Event Liquor License: (SELL798) (F23221)

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Business Name: Friendly House
Location: 7611 S. 29th Avenue, Laveen, 85339-1862
Date/Time: October 20, 2007, 4:30 pm – 12:00 am

Motion carried by majority vote (3-1-1) with Supervisors Stapley, Kunasek and Wilcox voting “aye” and Supervisor Brock voting “nay.”

3. WEST END WATER COMPANY PUBLIC UTILITY FRANCHISE

Pursuant to A.R.S. §40-283, Chairman Brock called for a public hearing to solicit comments on the application filed by West End Water Co. for a public service franchise for a domestic water distribution system. The Board considered whether the applicant is able to adequately maintain facilities in county rights-of-way. The franchise is granted with such conditions and restrictions the Board of Supervisors deems best for public safety and welfare including the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. The Franchisee shall bear all expenses relating to the granted franchise including damage and compensation for any alteration of the direction, surface, grade or alignment of any county road for the purpose of the franchise. The public utility franchise is granted to construct, maintain and operate a domestic water distribution system consisting of pipe lines, meters, connections and all necessary equipment for a period not to exceed twenty-five (25) years or for a period of one year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the transmission and delivery of water for domestic use along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

Northwest ¼ of Section 25, Township 5 North, Range 3 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Chairman Brock called for those who had registered to speak and asked that they contain their remarks within the established three-minute time limit.

Michael Bailey, Surprise City Attorney, asked for a continuance of 30 to 60 days to coordinate matters between staff and the City regarding the area covered by the franchise. He said Surprise plans to annex this area. He also said the City has filed an appeal on an order of the Arizona Corporation Commission (ACC) with regards to this franchise.

Scott Rhodes spoke for the franchisee, West End Water Co. He said this item was simply an administrative act to reaffirm a franchise the Board had approved on February 1, 2006. That approval contained the standard provision requiring a Certificate of Convenience and Necessity Extension Request from the Arizona Corporation Commission within six months. He said the City of Surprise intervened “very vigorously” in this action, causing additional and extensive hearings, which carried the ACC’s eventual approval past the six month deadline. A condition of the ACC’s approval was to obtain the County’s reaffirmed approval of the extension since the original action had expired. He stated that the appeal filed by Surprise on the ACC approval has only one issue, which is that the franchise had expired before an extension was applied. He called Mr. Bailey’s request for another extension a “transparent attempt” to again push the franchise extension approval past the expiration date. He explained that no facts had changed with regards to the

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franchise since the Board's approval in 2006, and asked that the extension be reaffirmed today with no further delays allowed.

Chairman Brock asked if Surprise had opposed the County's consideration of this matter in 2006.

Mr. Bailey said there had been no opposition at that time, adding that the facts have changed significantly since then as Surprise has annexed large parcels of land around the area, making annexation of the franchise's parcel of land possible within the next year.

Mr. Rhodes said that in February 2006 the application for an extension was already proceeding at the ACC and Surprise was already contesting it and arguing that "someday we will annex this land." He said this hasn't been done yet, this is County land, and the facts have not changed.

Richard Williams was also present for the City of Surprise but did not speak.

Supervisor Kunasek asked to see a map showing the newly annexed lands that Mr. Bailey referenced, and the City provided several maps.

Supervisor Wilcox explained that annexation issues are prevalent in the western portion of the County where rapid growth is being experienced. She added that Surprise has not annexed this land as yet and annexation is not currently projected. She saw no benefit in continuing the matter. She asked the City to work with the applicant to coordinate efforts and results.

No protests having been received, motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried to grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified. (C0608018700) (F17643)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

S-2. PUBLIC HEARING - DEANNEXATION/ANNEXATION

Pursuant to A.R.S. §9-471.02, Chairman Brock convened a public hearing on the following annexation/deannexation resolution. No protests having been filed and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve this deannexation/annexation as follows: (ADM4212-001) (ADM4207-001)

RESOLUTION

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WHEREAS, the City Council of the City of Peoria, Arizona, has, pursuant to Section 9-471.02, Arizona Revised Statutes, passed and adopted by Ordinance No. 07-16A on the 5th day of June, 2007, deannexing from the City of Peoria, the territory described as follows:

A parcel of land lying within Section 34, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Southeast corner of said Section 34;

Thence North 00 degrees 06 minutes 25 seconds East (basis of bearing), 674.98 feet along the East line of said Section 34, to a point on the existing Westerly right of way line of the Northwest Outer Loop, and the POINT OF BEGINNING;

Thence departing said East line, South 25 degrees 23 minutes 04 seconds West, 128.80 feet along said Westerly right of way line, to the West line of the East 55.00 feet of said Section 34;

Thence North 00 degrees 06 minutes 25 seconds East, 808.98 feet along said West line of the East 55.00 feet of said Section 34;

Thence departing said West line of the East 55.00 feet of Section 34, South 89 degrees 57 minutes 45 seconds East, 20.62 feet;

Thence North 24 degrees 24 minutes 39 seconds East, 83.52 feet, to the East line of Section 34;

Thence South 00 degrees 06 minutes 25 seconds West, 768.65 feet, along said East line of Section 34; to the POINT OF BEGINNING.

Containing 0.9780 acres, or 42,600 square feet of land, more or less.

WHEREAS, the City Council of the City of Glendale has pursuant to Section 9-471.02, Arizona Revised Statutes, passed and adopted by Ordinance No. 2574 New Series on the 26th day of June, 2007, annexing to the City of Glendale, the territory described above; and

WHEREAS, the aforesaid Ordinances were filed with the Maricopa County Board of Supervisors; and

WHEREAS, after such notice as was appropriate and legally required, the Maricopa County Board of Supervisors scheduled a hearing on the matter for 9:00 a.m. September 19th, 2007; and

WHEREAS, it was determined at such hearing that the requirements of Section 9-471.02, Arizona Revised Statutes, have been satisfied; and

WHEREAS, no protests were filed,

NOW, THEREFORE, BE IT RESOLVED that the deannexation of that territory described above in the City of Peoria and annexing said territory to the City of Glendale is hereby ordered; and

BE IT FURTHER RESOLVED that a copy of this order be filed with the Recorder's Office of Maricopa County.

DATED this 19th day of September 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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4. FIREWORKS PERMIT APPLICATION

Pursuant to A.R.S. §36-1603, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the application filed by Fireworks Productions of Arizona at Schnepf Farms for an original Fireworks Display Application: (ADM665-69)

Organization: Schnepf Farms
Location: 22601 E. Cloud Road, Queen Creek, AZ 85242
Date/Time: October 4, 2007, 9:00 pm; October 5 and 6, 2007, 10:00 pm; October 7 and 11, 2007, 9:00 pm; October 12 and 13, 2007, 10:00 pm; October 14 and 18, 2007; 9:00 pm; October 19 and 20, 2007, 10:00 pm; October 21 and 25, 2007, 9:00 pm; October 26 and 27, 2007, 10:00 pm; and October 28, 2007, 9:00 pm.

5. AFFIDAVIT OF CORRECTION TO DEED

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve an Affidavit of Correction to the Quit Claim Deed issued for the sale of Tax Deeded Land Parcel 401-42-587 which was recorded by the Maricopa County Recorder under No. 2004-0804740 on July 14, 2004, with the incorrect information concerning the name of the entity that was to take title. The correct name of the entity taking title of Tax Deeded Land Parcel 401-42-587 is now corrected from Pioneer Investments, LLC, an Arizona Limited Liability Company to Pioneer Creek Enterprises, L.L.C., a Texas Limited Liability Company. This Affidavit of Correction will be recorded and attached to the original recorded instrument of the aforementioned Quit Claim Deed. (C0608026B00) (ADM656-2004)

County Attorney

6. GRANT AGREEMENT/RECEIPT OF FUNDS FOR GERALD HARDT MEMORIAL CRIMINAL JUSTICE RECORDS IMPROVEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve grant agreement and receipt of grant funds from the Arizona Criminal Justice Commission (ACJC) for the FY 2007-2008 Gerald Hardt Memorial Criminal Justice Records Improvement (CJRIP) grant in the amount of \$134,316. These grant funds are provided to enhance efforts to improve criminal justice and criminal history records. This grant agreement, ACJC number CRI07-08-107, will commence on October 1, 2007, and will terminate on September 30, 2008. The grant funds may not be expended for any indirect costs which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$18,535.61. The Maricopa County Attorney recognizes that acceptance of these funds requires local match participation in the amount of \$33,579 which will come from FY 2007-08 funds appropriated in the County Attorney's (199) Criminal Justice Enhancement Fund (267).

Also, authorize revenue and expenditure appropriation increase adjustments for the County Attorney (190) Grant Fund (219) in the amount of \$134,316. Grant revenues are not local

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revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Also approve an exception to the Technology Finance Program (TFP) that allows the County Attorney to purchase two blade servers to be used in conjunction with the new County Attorney Notification System (CANS). The servers will be purchased using a portion of the funding from the ACJC FY 2007-08 Gerald Hardt Memorial CJRIP grant. The blade servers to be purchased will be HP Proliant BL460c G1 5150 2GB 1 processor (or equivalent) servers with two 140GB Hot Plug hard drives per server. These blade servers, accompanying software and accessories are compatible with the County platform. This is a one-time grant-funded purchase and no future automatic replacement of these blade servers from the general fund will be expected by the County Attorney. (C1908018300)

7. TRANSFER EXPENDITURE APPROPRIATION FOR ANTI-RACKETEERING INVESTIGATIONS

Pursuant to A.R.S. §42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to transfer expenditure appropriation in the amount of \$750,000 from Non-Departmental (470) Non-Departmental Grant Fund (249) to the County Attorney (190) RICO Fund (213). This increase, funded by prior year accumulated fund balance, is necessary for one-time anticipated expenditure increases related to on-going Anti-Racketeering investigations, new innovative civil actions against gang activities, increase in civil forfeiture cases, new community crime techniques, and an increase in crime prevention message advertising. (C1908021800) (ADM1821)

Superintendent of Schools

8. DONATION OF USED FURNITURE TO STARDUST NON-PROFIT BUILDING SUPPLIES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a donation by Maricopa County of assorted used furniture valued at approximately \$3,500 to Stardust Non-Profit Building Supplies, a 501(c)(3) charitable organization, responsible for the support of community housing initiatives and service to the working poor and elderly of Maricopa County. Stardust Building Supplies supports numerous "economic development activities", that will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Maricopa County pursuant to A.R.S. §11-254.04. With the refurbishing of the Superintendent of Schools' office space, assorted used furniture (chairs, tables, credenzas, file cabinets) is available for re-use. These furnishings would be of great benefit to Stardust Building Supplies, which operates two resale stores. The revenue generated in these stores supports a number of community assistance programs, one of which, Angels on Call, partners low income homeowners and the elderly, in need of emergency repairs with volunteer tradesmen. Additionally, the organization works in partnership with agencies such as St. Vincent DePaul and the Stardust Foundation to provide furnishings for families in need. In addition, to averting reusable material from County landfills, the services provided by the organization enhance quality of community and reduce the demand on and enhance the effectiveness of the County's programs. List is on file in the Clerk of the Board's office. (C3708002M00) (ADM119)

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9. FUNDING FOR 21ST CENTURY LEARNING CENTERS RENEWAL – YEAR 4 GRANT AFTER SCHOOL PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the application for and the acceptance of \$112,500 for the 21st Century Learning Centers Renewal – Year 4 Grant; an after-school program for students in the Saddle Mountain Unified School District #90 from the Arizona Department of Education (ADE). The term of the contract will be one year, anticipated to begin July 1, 2007 through June 30, 2008. The grant is renewable. Maricopa County Superintendent of School's indirect rate for FY 2007-08 is 14.16 percent. The restricted indirect cost rate allowed by this grant source is 7.40 percent. Recoverable indirect costs are \$7,751. The restricted indirect cost rate unallowable by this grant source is 6.76 percent. Unrecoverable indirect costs on this award are \$7,081. If any funds are awarded, the Superintendent of Schools will return to the Board for approval and acceptance of these funds and any subsequent amendments. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C3708009300)

10. FUNDING FOR THE 21ST CENTURY COMMUNITY LEARNING CENTERS RENEWAL-YEAR 5 GRANT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the application for and the acceptance of \$116,843 for the 21st Century Community Learning Centers Renewal-Year 5 Grant; a professional development program for targeted teachers and exchange program for students in the Aguila and Gila Bend School Districts from the Arizona Department of Education (ADE). The term of the contract will be one year, anticipated to begin July 1, 2007 through June 30, 2008. This grant is non-renewable. Maricopa County Superintendent of School's indirect rate for FY 2007-08 is 14.16 percent. The restricted indirect cost rate allowed by this grant source is 7.40 percent. Recoverable indirect costs are \$8,051. The restricted indirect cost rate unallowable for this grant source is 6.76 percent. Unrecoverable indirect costs on this award are \$7,354. If any additional funds are awarded, the Superintendent of Schools will return to the Board for approval and acceptance of these funds and any subsequent amendments. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C3708008300)

11. FUNDING FOR A SCHOOL-BASED PARENTING PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the application for and the acceptance of \$60,525 for a School-Based Parenting Program in the Paloma, Union, Palo Verde, Morristown, Ruth Fisher and Mobile school districts from the Arizona Department of Education (ADE). The term of the contract will be one year, anticipated to begin July 1, 2007, through June 30, 2008. This grant is renewable. Maricopa County Superintendent of School's indirect rate for FY 2007-08 is 14.16 percent. The restricted indirect cost rate allowed by this grant source is 7.40 percent. Recoverable indirect costs are

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\$4,170. The restricted indirect cost rate unallowable by this grant source is 6.76 percent. Unrecoverable indirect costs on this are \$3,810. If any funds are awarded, the Superintendent of Schools will return to the Board for approval and acceptance of these funds and any subsequent amendments. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C3708007300)

JUDICIAL BRANCH

Adult Probation

12. AMENDMENT FOR TERMINATION OF LEASE FOR ADULT PROBATION LEASED SPACE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize a revised early termination date for Lease No. L7065 with 3200 Hayden Plaza, LLC for the Adult Probation facility located at 3200 N. Hayden Road, Scottsdale, Arizona. The early termination date would be amended from January 31, 2008 to December 31, 2007, and authorize staff to give official notice to the landlord of the amended early termination date. The board previously approved the early termination date of January 31, 2008, on June 20, 2007, under C1107007401. However, the landlord is requiring the county vacate the leased premises one month earlier than the previously approved termination date. The Adult Probation Staff is prepared to meet the revised lease termination date of December 31, 2007. The official file for this lease including the termination actions is C1105006400. (C1107007402) (C1105006400)

Trial Court

13. NAMES FOR JUSTICE COURT PRECINCTS

Pursuant to A.R.S. ~~§ 11-101 and 11-125~~ § 22-101 and 22-125, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to adopt a Resolution regarding the renaming of four Justice Court Precincts. The following are the recommended names made by the Maricopa County Justice of the Peace Bench and approved by the Facilities Review Committee:

New North – This precinct consists of portions of the existing Dreamy Draw, McDowell Mountain, and Moon Valley Justice Court Precincts. The Bench recommends the precinct be named Desert Ridge.

Lake Pleasant Justice Court – Due to some redistricting adjustments, Lake Pleasant is no longer located in the Lake Pleasant Justice Court Precinct; therefore, the major landmark giving rise to the precinct name is no longer appropriate. Justice of the Peace John Keegan has recommended that Lake Pleasant Justice Court Precinct be renamed as Arrowhead Justice Court Precinct.

New South – Justice of the Peace Samuel T. Goodman currently is located in the San Tan Justice Court Precinct. Under the new map, he will be located in the newly approved south justice court precinct. The majority of the new precinct will be composed of the

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existing San Tan Justice Court Precinct. He recommends naming the new precinct San Tan Justice Court Precinct.

San Tan Justice Court – Based on the need to rename the other portion of the existing precinct, Justice of the Peace Goodman discussed name possibilities with local elected officials in Gilbert and it was suggested the San Tan Precinct be renamed to the Highland Justice Court Precinct.

Each of the presented names is supported by the Justice of the Peace in the precinct and also by the Supervisor in whose district the precinct falls. The effective date of each name change will be January 1, 2009. For Election purposes, this change is effective January 1, 2008. **There is no financial impact.** [Clerk's note, not part of the minutes: The bolded sentence added at the end, and the two corrections to statute were made by the Deputy Clerk prior to the vote.) (C2408001700) (ADM1203)

RESOLUTION

WHEREAS, the Justice Court Precincts are county courts whose names should reflect their new locations for both ease of reference by the public and so that the public will not mistake these courts for municipal courts,

WHEREAS, the Board of Supervisors shall divide the county into justice precincts and name or number them,

NOW, THEREFORE, BE IT RESOLVED that the Justice Court Precincts shall be named according to the region in which they are located and the names of the current Justice Courts Precinct shall be changed to reflect their new regional locations. The new names shall be:

1. **Desert Ridge Justice Court Precinct** (Formerly New North Justice Court Precinct).
2. **Arrowhead Justice Court Precinct** (Formerly Lake Pleasant Justice Court Precinct).
3. **San Tan Justice Court Precinct** (Formerly New South Justice Court Precinct).
4. **Highland Justice Court Precinct** (Formerly San Tan Justice Court Precinct).

DATED this 19th day of September 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Lori Pacini, Deputy Clerk of the Board

14. APPOINTMENTS

Pursuant to A.R.S §12-141 and §22-121, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the appointment of Court Commissioners Richard F. Albrecht and Patricia A. Arnold as Superior Court Judges Pro Tempore and Pro Tempore Justices of the Peace for the period from September 19, 2007

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through July 31, 2008, to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3808003700) (ADM1001)

COUNTY MANAGER

Medical Examiner

15. FUNDING FROM THE PAUL COVERDELL FORENSIC SCIENCE FORMULA GRANTS PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to authorize the Office of the Medical Examiner to apply for and accept grant funding of \$12,393 from the Paul Coverdell Forensic Science Formula Grants Program (Part A) administered locally by the Arizona Criminal Justice Commission. Approval of this action will authorize the Chairman to sign all applications and any subsequent administrative amendments related to this grant. The Department will recover zero percent of available indirect charges. The current approved indirect rate for the Office of the Medical Examiner is 26.94 percent. Recoverable indirect costs are estimated to be \$0. Unrecoverable indirect costs are estimated to be \$3,339. This is a cost reimbursement grant.

Also approve revenue and expenditure appropriation adjustments to Medical Examiner (290) and Medical Examiner Grant Fund (224) associated with the aforementioned grant in an amount not-to-exceed \$12,393. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these funds are not prohibited by the budget law. This appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A. R. S. §42-17105. Grant Period is from October 1, 2007 to September 30, 2008. (C2908002300)

16. FUNDING FOR CIVIL RIGHTS TO ENHANCE THE TOXICOLOGY ACTIVITY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to authorize the Office of the Medical Examiner to apply for and accept grant funding of \$95,000 from the U.S. Department of Justice, Office of Justice Programs, and Office for Civil Rights to enhance the Toxicology Activity for FY 2007-08, and to receive any and all such funds awarded. The funding is from the FY 2006-07 Paul Coverdell Forensic Science Improvement Grants Program. Approval of this action will authorize the Chairman to sign all applications and any subsequent administrative amendments related to this grant. The Department will recover zero percent of available indirect charges. The current approved indirect rate for the Office of the Medical Examiner is 26.94 percent. Recoverable indirect costs are estimated to be \$0. Unrecoverable indirect costs are estimated to be \$25,593. This is a cost reimbursement grant.

Also approve revenue and expenditure appropriation adjustments to Medical Examiner (291) and Medical Examiner Grant Fund (224) associated with the aforementioned grant in an amount not-to-exceed \$95,000. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these funds are not prohibited by the budget law. This appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A. R. S. §42-17105. (C2908003300)

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Office of the County Manager

17. ADDITIONAL FUNDS FOR SUPPORT OF ARIZONA METH PROJECT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an amendment to the agreement between Maricopa and the Arizona Attorney General's Office, originally approved by the Board on February 7, 2007, under C2007038801. The original agreement authorized the acceptance of \$750,000 from the Arizona Attorney General's Office to support the ARIZONA METH PROJECT. This amendment authorizes the acceptance of an additional \$5,000 from the Attorney General's Office, bringing the total value of the agreement to \$755,000.

Also approve an appropriation adjustment to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) "Meth Project", increasing the FY 2007-08 revenue and expenditure budgets by \$5,000. These additional funds will be used to support a statewide 8th Art Poster Contest sponsored jointly by the Attorney General and the ARIZONA METH PROJECT promoting the preventative "Not Even Once®" message.

These revenues are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board. (C2007038802)

DEPUTY COUNTY MANAGER

Employee Health Initiatives

18. ADMINISTRATIVE CORRECTION

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an administrative correction to the action approved on June 20, 2007, under C3507024M00 to request the execution of the First Amendment to Maricopa County Health Care Plan (Amended and Restated (Plan) as presented and add the request for approval and execution of the First Amendment to Maricopa County Cafeteria Plan (Amended and Restated). These are the documents that amend the Maricopa County Health Care Plan and the County Cafeteria Plan to permit participants in the Health Care Plan who have elected to participate in a high deductible health plan to also participate in a Health Savings Account (HSA) and to permit participants to contribute to their HSA through the Plan by a salary reduction basis. (C3507024M01) (ADM3350)

Management & Budget

19. BUDGET MANAGEMENT CHANGE FOR HUMAN SERVICES DEPARTMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve a budget management change for the Human Services Department from "lump sum budgeting" to "program/activity budget review" beginning immediately. This action is necessary due to the fact that the Human Services Department exceeded their Board approved appropriation in FY 2006-07. (C4908012800)

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Public Health

20. AMENDMENT TO IGA FOR WIC BREASTFEEDING PEER COUNSELING PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve Amendment No. 2 to the Intergovernmental Agreement (IGA) No. HP661311-002, between the Arizona Department of Health Services (ADHS) and Maricopa County Department of Public Health for the Women, Infant and Children (WIC) Breastfeeding Peer Counseling Program. This amendment exercises the option in the IGA per the Special Terms and Conditions, Item 3 to extend the agreement for a one-year period from October 1, 2007 through September 30, 2008, and replaces the price sheet in Amendment No. 1 for the budget period beginning October 1, 2007 through September 30, 2008. The funding amount for this amendment is not-to-exceed \$237,409.

The Department of Public Health's FY 2007-08 indirect rate is 18%. Grant indirect cost is estimated at \$36,215 and is fully recoverable.

Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$11,057 for FY 2007-08 and \$57,099 for FY 2008-09. The appropriation adjustment is necessary because these funds are not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Funding for this agreement is provided by a grant from ADHS and will not impact the County general fund budget. (C8607028202)

21. RESCIND PREVIOUS ACTION AND APPROVE RECEIPT OF ADDITIONAL VACCINE DONATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the following actions:

- a. Rescind the action taken on June 6, 2007, under C8607060M00 in which the Board approved the receipt of additional various vaccine donations from the Arizona Department of Health Services in the amount of \$1,300,000. This action revises the value of the amount from the \$1,300,000 to \$7,777,295.03 as the final value of the in-kind donation from ADHS. (C8607060M01)
- b. Accepting the donation of various vaccines, at no cost to Maricopa County, from the Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health's (MCDPH) Immunization Program in the amount of \$7,777,295.03. Six million dollars was budgeted for this immunization grant in the initial FY06-2007 budget. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System. This agenda item requires retroactive approval, ADHS provided MCDPH with a finalized letter on August 14, 2007,

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detailing the final value of the vaccines shipped to MCDPH for use by the Immunization Program for FY2006-07 to be \$7,777,295.03. MCDPH's indirect rate for FY 2006-07 was 18.1%. This in-kind grant does not allow for indirect reimbursement; therefore, \$321,691 is unrecoverable. (C8607060M01)

22. AMENDMENT TO IGA FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve amendments to the following intergovernmental agreements (IGAs) to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. These amendments are effective upon execution by both parties and exercise the option in the agreement per Section 1, paragraph 24 to extend the agreements for a one year period starting upon full-execution of the agreements to May 1, 2008. These agreements are covered under Section MC1-1001 of the Maricopa County Procurement Code.

- a. Amendment No. 2 to IGA with the Glendale Elementary School District. This amendment also provides additional funds to the Glendale Elementary School District in the amount of \$17,000 for the budget period July 1, 2007 through May 1, 2008. (C8607404202)
- b. Amendment No. 1 to IGA with the Isaac School District. This amendment also provides additional funds to the Isaac School District in the amount of \$16,500 for the budget period July 1, 2007 through May 1, 2008. (C8607406201)
- c. Amendment No. 1 to IGA with the Cave Creek School District. This amendment also provides additional funds to the Cave Creek School District in the amount of \$11,000 for the budget period July 1, 2007 through May 1, 2008. (C8607416201)
- d. Amendment No. 1 to IGA with the Pendergast School District. This amendment also provides additional funds to the Pendergast School District in the amount of \$20,000 for the budget period July 1, 2007 through May 1, 2008. (C8607424201)
- e. Amendment No. 2 to IGA with the Washington School District. This amendment also provides additional funds to the Washington School District in the amount of \$39,500 for the budget period July 1, 2007 through May 1, 2008. (C8607449202)

23. IGA WITH ADHS FOR WOMEN, INFANTS AND CHILDREN (WIC) NUTRITIONAL SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the Intergovernmental Agreement (IGA) No. HG861080 between the Arizona Department of Health Services (ADHS) and the Department of Public Health to provide Women, Infants and Children (WIC) nutritional services. The term for this IGA is October 1, 2007 through September 30, 2012. This IGA also provides for grant funding in the amount of \$9,508,065 for the budget period of October 1, 2007 through September 30, 2008. The Department of Public Health's FY 2007-08 indirect rate is 18%. Grant indirect cost is estimated at \$1,450,383 and is fully recoverable.

Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of

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\$653,105 for FY 2007-08 and \$2,347,976 for FY 2008-09. The appropriation adjustment is necessary because these funds are not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by a grant from ADHS and will not impact the County general fund budget. (C8608025200)

24. ADMINISTRATIVE CORRECTION

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an administrative correction to C860804420, Intergovernmental Agreement (IGA) No. C860804420, approved by the Board on July 25, 2007. This administrative correction strikes the line in the Action Requested Section: "MIHS was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010)." MIHS did not respond to the ROQ, but rather entered into an IGA with Maricopa County to provide Well Women Healthcheck services to uninsured or underinsured women. All other terms and conditions of this IGA shall remain unchanged. (C8608044201)

ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES

Human Services

25. IGA FOR HEAD START PROGRAM WITH SERVICES TO PRESCHOOL CHILDREN WITH DISABILITIES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the non-financial intergovernmental agreement (IGA) between the Tempe Elementary School District #3 and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. Tempe Elementary School District #3 will provide services for preschool children with disabilities, who are enrolled in the Head Start program. The agreement is effective from July 1, 2007, to June 30, 2010. (C2208085200)

26. GRANT FUNDS FOR SPECIAL TRANSPORTATION SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the application and acceptance of grant funds from the Federal Transit Administration (New Freedom Transportation Program) for the amount not-to-exceed \$500,000. These grant funds are for Special Transportation Services. Authorize the Chairman to sign all documents related to these grant funds. The grant funds may be expended for indirect costs which may be incurred by the Human Services Department or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Human Services Department's composite indirect cost rate at 16.5%. The recoverable indirect cost of administering this grant will not exceed \$70,815.

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Also approve revenue and expenditure appropriation adjustments to the HSD, #222, HS Grants associated with the grant in the amount of not-to-exceed \$500,000 for FY 2007-08. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2208118300)

27. RESOLUTION NAMING ELIJAH WONG VETERANS' SERVICE CENTER

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a resolution naming the 'Elijah Wong Veterans' Service Center' in honor of Elijah Tai Wah Wong, a Maricopa County Probation Officer who died in Sanjar, Iraq, on February 9, 2004. The Veterans' Service Center, scheduled for a Grand Opening September 27, 2007, is part of the Maricopa Workforce Connections' West Valley Career Center located at 95th Avenue and McDowell, will serve veterans and their families with comprehensive services designed to assist transition from military to civilian life. Elijah Wong, age 42, was a sergeant in the Arizona National Guard, a husband, and the father of three children. Mr. Wong was the first Maricopa County employee to die in Operation Iraqi Freedom. The naming of the Elijah Wong Veterans' Center is recommended by the Facilities Review Committee. (C2208121M00) (ADM631-001)

RESOLUTION

WHEREAS, Elijah Tai Wah Wong served the citizens of Maricopa County as an adult probation officer and also served his country as a sergeant in the Arizona National Guard;

WHEREAS, Elijah Wong was killed in action on February 9, 2004, in Sinjar, Iraq, becoming the first Maricopa County employee to die in Operation Iraqi Freedom;

WHEREAS, Elijah Wong was a husband and father of three who was dedicated to his family, but also to his work and the military;

WHEREAS, Elijah Wong performed his military service with distinction, having been awarded posthumously a Purple Heart and a Bronze Star;

WHEREAS, the Maricopa County Board of Supervisors has created the West Valley Career Center to assist business and individuals seeking employment and related services;

WHEREAS, the West Valley Career Center will include a veterans services center to provide specialized, comprehensive services for veterans and their spouses who often face special challenges in returning to civilian life;

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors has named this center the "Elijah Wong Veterans Service Center" to commemorate Elijah Wong's exemplary service to Maricopa County and the country.

DATED this 19th day of September 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

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/s/ Lori Pacini, Deputy Clerk of the Board

Parks and Recreation

28. MARICOPA REGIONAL TRAIL SYSTEM

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to amend the action taken by the Board of Supervisors in C3006024101 on July 25, 2007, by increasing the purchase approval price by \$24,353 to include the required 3% selling and administrative fee assessed by the State Land Department. Also, authorize the purchase of land using the money stipulated by Del Webb on October 18, 2000, in Development Master Plan (DMP) 1994-06A, for use by the Maricopa County Parks & Recreation Department for "Equestrian trail facility for trail enhancement, maintenance and the possible acquisition of additional trails adjacent thereto." Since the DMP was approved, the Parks & Recreation Department has received over \$900,000 in stipulated fees, along with accrued interest.

The right-of-way easement purchase valued at \$811,751 and selling and administrative fees of \$24,353 (for a total purchase price of \$836,104) will be funded from Parks Donations Fund (243) fund balance. Funding for the \$2,500 of estimated advertising costs is budgeted in the General Fund County Improvement Fund (445). The use of Parks fund balance will allow existing FY 2007-08 funding to be used on other segments of the Maricopa Regional Trail system.

Pursuant to A.R.S. §42-17106(B), approve a fund transfer of \$836,104 from the FY 2007-08 Parks and Recreation (300) Parks Donations Fund (243) to the FY 2007-08 Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422). This action requires increasing the FY 2007-08 Parks and Recreation (300) Parks Donations Fund (243) expenditure appropriation by \$836,104. Donations are not local revenues for the purpose of the Constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Also approve the following adjustments to the FY 2008-12 five-year Capital Improvement Program:

- a) Increase the FY 2007-08 Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422) revenue and expenditure appropriations by \$836,104, with offsetting revenue and expenditures in the Eliminations (980) Eliminations Fund (900).
- b) Add the Maricopa Regional Trail System (MRTS) project in the Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422) with revenue and expenditure budgets in Year 1 (FY 2007-08) of \$836,104. (C3006024102) (A3205)

29. AMENDMENT TO AGREEMENT WITH ARIZONA MODEL AVIATORS ASSOCIATION

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 1 to the Special Use Agreement Number C3097025B between Maricopa County and the Arizona Model Aviators Association extending the term date

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from April 8, 2012 to April 8, 2021, which also results in establishing a fee schedule. Arizona Model Aviators Association agrees to pay Maricopa County fees estimated to be \$35,125 over the span of the agreement. There will be one six-year renewal option remaining. (C3097025B01)

ASSISTANT COUNTY MANAGER – CRIMINAL JUSTICE

Justice System Planning

30. IGA FOR TRANSFER OWNERSHIP OF SOFTWARE TO THE CITY OF SCOTTSDALE

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an Intergovernmental Agreement (IGA) 2007-144-COS, between Maricopa County through Integrated Criminal Justice Information System (ICJIS) and the City of Scottsdale, a municipal corporation of the State of Arizona ("the City"). ICJIS has developed the Justice Web Interface (JWI) Application which consists of a browser application used for data entry, server application, reporting module and database schema, the corresponding source code and support documentation, which ICJIS has offered to furnish to the City.

ICJIS shall transfer ownership of the Software to the City at no charge. The City shall release ICJIS and its agents and employees from all claims and demands associated with the Software.

ICJIS shall provide the City with the Software within 15 days upon completion of this IGA. This IGA shall become effective upon Board approval and shall expire on June 30, 2020. (C4208004200)

CHIEF FINANCIAL OFFICER

Finance

31. FUND TRANSFERS; WARRANTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

32. CONVEYANCE OF REAL PROPERTY – CONTINUED

Item: Approve the conveyance of real property located at 508 Monroe, Buckeye, Arizona, by Quitclaim Deed, to the Town of Buckeye pursuant to that Intergovernmental Agreement (CS881039) dated April 18, 1988, and recorded in Maricopa County Recorder number 97-0212074 on April 1, 1997, and authorize the Chairman of the Board to execute all documents necessary for the conveyance. THIS ITEM REQUIRES A UNANIMOUS ROLL CALL VOTE. (C1808014200)

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) with Supervisors Brock, Stapley, Kunasek and Wilcox voting "aye" to continue this item to the October 1, 2007, meeting for a unanimous vote of the entire Board.

33. DECLARATION OF OFFICIAL INTENT FOR PURCHASE AND RENOVATION OF THE SUNNYSLOPE PROBATION FACILITY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and authorize the Chairman to sign the attached Declaration of Official Intent to reimburse capital expenditures used for the purchase and renovation of the Sunnyslope Probation Facility. The acquisition of the Sunnyslope Probation Facility was previously approved by agenda C1808006100. The property is currently in escrow with an anticipated closing date of October 2007. The Declaration of Intent will allow the County to reimburse capital expenditures used for the Sunnyslope Probation Facility through the use of tax exempt borrowings. The Department of Finance will request approval from AMBAC (bonding insurance company) to use proceeds from the Lease Revenue Bonds, Series 2007, tax exempt bond issuance for reimbursement. If AMBAC does not grant approval, Finance will consider other tax exempt financing alternatives that will be presented to the Board at a future date. Capital expenditures projected for the Sunnyslope Probation Facility are \$1,400,000 as previously approved by agenda C1808006100. The Declaration of Intent will not exceed budget authority of \$1,400,000. (C1808015800) (C1808006100) (ADM811-016)

34. LICENSE AGREEMENT FOR USE OF THE TISSUE RECOVERY ROOM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and execute a non exclusive License Agreement (Lease No. MC10169) with Humanity Eye & Tissue Transplant Inc., (Licensee) for use of the Tissue Recovery Room in the Forensic Science Center located at 701 W. Jefferson Street. The licensed area consists of approximately 400 square feet. The Licensee will use the area solely for donor tissue recovery. The term commences on November 1, 2007, for a 24-month period ending October 31, 2009. If a concurrent License is granted to an additional tissue recovery agency for shared use of the licensed area during the term, the premises will be utilized on an alternating month basis. The License may be terminated by either Party with thirty days written notice. The Licensee will reimburse Licensor \$350 for each use of the premises for attempted tissue recovery regardless of results. (C1808017100)

35. LICENSE AGREEMENT FOR USE OF THE TISSUE RECOVERY ROOM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and execute a License Agreement (Lease No. MC10170) with Donor Network of Arizona (Licensee) for use of the Tissue Recovery Room in the Forensic Science Center located at 701 W. Jefferson Street. The licensed area consists of approximately 400 square feet. The Licensee will use the area solely for donor tissue recovery. The term commences on November 1, 2007, for a 24 month period ending October 31, 2009. If a concurrent License is granted to an additional tissue recovery agency for shared use of the licensed area during the term, the premises will be utilized on an alternating month basis. The License may be terminated by either Party with thirty days written notice. The Licensee will reimburse Licensor \$350 for each use of the premises for attempted tissue recovery regardless of the results. (C1808018100)

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Materials Management

36. SOLICITATION SERIALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award

07074-C **Promotional Items** (\$1,300,000 estimate/six years) Price agreement for the purchase of promotional items for use by various agencies. This is a multiple-award qualifying agreement. Quotations will be solicited from participants for various items purchased under this agreement in accordance with terms and conditions.

123-Awards.com
4Imprint, Inc.
AIA New Dimensions
Alan Hyman Enterprises
All American Custom Printing
Arizona Uniform & Apparel
Arizona Wholesale Fuelwood
Awards by C&L
Buse Printing & Advertising, Inc.
Cameo Print Management
Carrano Enterprises
CLS Screen Printing
CMG Marketing
Crown Trophy
Custom Design Marketing of Arizona
Custom Imprint, AZ
Desert West Gift Products
Diamondback Promotions LLC
Family Enterprise, Inc.
Footprint Marketing, Inc.
Fruit of the Loom
Great Impact Inc.
Harris Printers
Hart Across America
Innovative Incentives
International Corporate Apparel
Intra-Media Solutions

JanWay Company
Keene Promotions, Inc.
Lane Award Manufacturing
Larada's Army Surplus
Metagraphix Communications
Neat Solutions for Healthy
Children
Odyssey Marketing Group
Office Depot Inc.
Pinnacle Prints & Embroidery
Precision Graphics
Primo Promos
Proforma CGE&M
Sanjon Laser Engraving & Gifts
ScreenPrint Plus, Inc.
SKLA Advertising
Small Business Advertising &
Marketing, Inc.
Southwestern Business Forms
Stay Safe Promotions
Team Shop Premiums
The Davis Incentive Group
The RGU Group
Theresa Roberts Incorporated
Trinity Embroidery Designs
Williams & Associates
You Name it Specialties, Inc.

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Renewals/Extensions:

Renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until December 31, 2007

02037-C MRO Supplies (\$548,500 estimate/four months) Price agreement extension for maintenance repair and operating supplies as requested by various departments.

- Camfil Farr
- Certex-West
- Copper State Bolt & Nut Co, Inc.
- Freeway Metals
- Holman's, Inc.
- Orco Construction Supply
- Ramsey Welding Supply
- Snap-On Industrial
- Spartan Tool LLC
- Tri-Tek Electronics
- Tri-Valley Electric Supply Co.

Increase in the price agreement amount for the following contract(s). This request is due to an increased usage by County departments.

04010-ROQ Adult Felony Attorney Services – Office of Public Defense Services (\$5,000,000 increase) Increase contract value from \$5,000,400 to \$10,000,400. This \$5,000,000 increase will provide continued adult felony attorney services as requested by the Office of Public Defense Services. This contract was initially approved by the Board on June 16, 2004, renewed on the April 4, 2007, and has an expiration date of June 30, 2010. This request has been reviewed by the Office of Management and Budget.

Herman Alcantar Jr.	(ADDED 10/28/04)	Added 8/23/07 Eff. 8/27/07
Justin Beresky	Brandi J Beougher	Shab Amiri
Terri Capozzi	Joshua M Blumenreich	Michael Shannon Baker
Nathaniel J. Carr	Stephen L Duncan	Brian L. Borrelli
Rodrick S. Carter		Mark A. Ciafullo
Reginald L Cooke	(ADDED 10/28/04)	Chris Corso
Brandon Nelson Cotto	Eric W Kessler	Kenneth S. Countryman
Geoffrey Fish	Lisa C Posada	Randall Craig
Christopher A. Flores	John Rock	Marvin L. Davis
Taylor William Fox	Michael Walton	Chris Doerfler
Joey Hamby PC		John F. Flynn
Raymond A Kimble	Added 09/29/05	Yvette C. Gray
Susan A. Maga	Glenn A. Allen	Jessica M. Hernandez
Roger T. Margolis	Joshua S. Davidson	Justine R. Jimmie
John Justin McGuire	Rebecca Felmly	Robert R. Jung
Brad Reinhart	Adrian Fontes	Marci A. Kratter

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Jay Rock	Sandra K. Hamilton	David L. Lockhart
Humberto B Rosales	Jaime Hindmarch	Wendy L. Mays
German Salazar	Robert W. Precht	John W. McBee
Edward J. Susee	Juan R. Rivera	Tyrone Mitchell
Aldon G Terpstra	Robyn Varcoe	James Park
Rick G Tosto PC	Robert Webb	John M. Rhude
Corwin A Townsend		Matthew Schwartzstein
Christopher R Trautman	Added 11/16/06- eff. 12/1/06	Javier Sedillo
Leo R Valverde	Julia Cassels	Lisa A. Shannon
Laurel Workman	Daniela H. De La Torre	Matthew Smiley
	Kari Jill Granville	Michael Souccar
Cancelled 9/7/07-Eff. 8/22/07	Jason Keller	Dianne N Sullivan
David Eisenberg, Esquire	Paul E. Knost	Jeffrey Swierski
4116 E. Mountain View Road	Douglas Loefgren	Randolph D. Toscano
Phoenix, AZ 85028	Gary V. Scales	D. Stephen Wallin
	Candice L. Shoemaker	Douglas S. Younglove
	Scott D. Stewart	
	Jonathan L. Warshaw	
	Jennifer L. Willmott	
	Christopher Winchell	

04232-ROQ Special Advocacy Attorney Services – Office of Public Defense Services
(\$750,000 increase) Increase contract value from \$1,431,000 to \$2,181,000. This \$750,000 increase is to provide continued special advocacy attorney services as requested by OPDS. This contract was initially approved by the Board on March 23, 2005, renewed on April 4, 2007, and has an expiration date of June 30, 2010. This request has been reviewed by the Office of Management and Budget.

Carol Coghlan Carter	Cancellation 5/31/07 (Eff. 6/30/07)
Stephen J Green	Roland Arroyo Attorney At Law
Nancy H. Marshall	830 N 1st Avenue Suite 208
Patricia O'Connor	Phoenix, AZ 85003
Touhill Law offices	Steven Czop
Daniel Saint	637 S. 48th Street, Ste 204
Pamela G Wiens-Saint	Tempe, AZ 85284
John G. Schaus	Jenna C. Hoffman
Stephanie Stromfors	16218 W Lane Ave
Hollie K. Taylor	Litchfield Park, AZ 85340
Jeffrey M. Zurbruggen	Timothy V Nelson
Added 10/05/06 (Eff. 9/08/06)	1630 S. Stapley D. Suite 231
Annette Cox	Mesa, AZ 85204
Gary V Scales Attorney At Law	Thomas A. Vierling
Paul J Theut	852 N 6th Avenue
Cancellation 5/3/07 (Eff. 7/1/07)	Phoenix, AZ 85003
Kerstin G. Lemaire	D. Stephen Wallin Attorney
2600 N Central Avenue Suite 850	7324 W. Superior Avenue
Phoenix, AZ 85004	Phoenix, AZ 85043
Julie M Rhodes	Amy Dehrendorf
2600 N Central Ave Ste #1760	555 W Chandler Blvd. Ste #200

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Phoenix, AZ 85004
Gregg R. Woodnick
~~2600 N. Central Avenue Suite 850~~
Phoenix, AZ 85004

Chandler, AZ 85225

- 05019-C Asphalt, Emulsified & Oil & Petroleum Resin** (\$2,000,000 increase) Increase price agreement value from \$5,000,000 to \$7,000,000. This \$2,000,000 increase is being requested by MCDOT to provide monies for the current chip seal project and future project needs. The Board approved the initial price agreement on May 18, 2005, in the amount of \$3,600,000 and an increase of \$1,400,000 on June 20, 2007. This price agreement has an expiration of May 31, 2008.
- Paramount Petroleum Corporation
 - Wright Asphalt Products Co.

Risk Management

37. SETTLEMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the following:

- Settlement in the amount of \$12,214.16 of Maricopa County's claim against Saul Parra-Martinez (MCDOT Claim No. 06:22), and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508009100) (ADM409)
- Closure of Maricopa County's claim, in the amount of \$6,600.04, against Kimberly Mothershed (MCDOT Claim No. 05:34). Maricopa County claim is for \$6,600.04 for damages to guardrail at Bush Highway from Saguaro Lake Road in a single vehicle collision which occurred on May 4, 2005. Numerous attempts have been made to locate driver via Motor Vehicle Division, Assessors and Records Office. No insurance was recorded on official police report. (C7508010100) (ADM409)
- Closure of Maricopa County's claim, in the amount of \$343.82, against Deborah K. Burns-Orosco (MCDOT Claim No. 06:10). Maricopa County's claim of \$343.82 pertains to damages of Traffic Street Sign at Bush Highway from Phon D Sutton Road in a single vehicle collision on February 18, 2006. Numerous attempts have been made to locate the driver via Motor Vehicle Division, Assessors and Records Office. No insurance was recorded on official police report. (C7508011100) (ADM409)
- Settlement in the amount of \$7,939.46 of Maricopa County's claim against Catherine Murphy (MCDOT Claim No. 05:31) and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508012100) (ADM409)
- Settlement in the amount of \$7,098.50 of Maricopa County's claim against Jeremiah Vinson (MCDOT Claim No. 06:05), and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508013100) (ADM409)

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- f. Settlement of Maricopa County's claim, in the amount of \$15,266, against Juan P. Espinoza (MCDOT Claim No. 06:21), and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508014100) (ADM409)
- g. Settlement of Maricopa County's claim, in the amount of \$6,700, against Patricia Botello (MCDOT Claim No. 07:06), and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508015100) (ADM409)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Facilities Management

38. CONTRACT FOR DESIGN AND CONSTRUCTION ADMINISTRATION FOR COURT TOWER PROJECT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve and authorize the execution of Contract No. FMD-08-025, with Gould Evans, in a form to be approved by the Maricopa County Attorney's Office, in an amount not-to-exceed \$22,284,000. This contract is to provide services for design and construction administration for the Maricopa County Court Tower Project No. 3325-07-380 and shall become effective upon Board approval. (C7007054501)

39. CLOSURE OF MADISON STREET FROM 1ST AVENUE TO 3RD AVENUE FOR OPERATIONS OF THE NEW COURT TOWER

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize the County Manager to initiate discussions with the City of Phoenix regarding the closure of Madison Street from 1st Avenue to 3rd Avenue to facilitate the future operations of the new Court Tower. (C7008020000) (ADM1100) (ADM1600)

Transportation

40. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (ADM2007)

W-3027-A (DK)	Project No.: TT011 – 91 st Avenue (Pinnacle Peak Road to Happy Valley Road) – Warranty Deed – Parcel No.: 201-15-012M (a portion of) – Bruce E. Nelson and Marylou Nelson - for the sum of \$76,250.00.
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W-3027-A (DK)	Project No.: TT011 – 91 st Avenue (Pinnacle Peak Road to Happy Valley Road) – Purchase Agreement and Escrow Instructions - Parcel
------------------	--

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No.: 201-15-012M (a portion of) – Bruce E. Nelson and Marylou Nelson.

W-6066, W-6066-1,
W-6066-4, W-6065,
W-6065-1, W-6065-4
(PM)

Project No.: TT062 – Ellsworth Road – University Drive to McLellan Rd. – Amendment Two for Construction Period Land Use License - CAWCD No.: 05-013 - Central Arizona Water Conservation District.

TT-260.002
(DK)

Project No.: TT260 – Brown and Signal Butte - Warranty Deed - Parcel No.: 220-13-008A (a portion of) – Glen Gaddie, a married man, as his sole and separate property – for the sum of \$1,350.00.

TT-260.002
(DK)

Project No.: TT260 – Brown and Signal Butte – Purchase Agreement and Escrow Instructions - Parcel No.: 220-13-008A (a portion of) – Glen Gaddie, a married man, as his sole and separate property.

TT-260.001
(DK)

Project No.: TT260 – Brown and Signal Butte - Warranty Deed - Parcel No.: 220-07-001A (a portion of) – Steven H. Morris – for the sum of \$1,350.00.

TT-260.001
(DK)

Project No.: TT260 – Brown and Signal Butte – Purchase Agreement and Escrow Instructions - Parcel No.: 220-07-001A (a portion of) – Steven H. Morris.

W-3026-A
(DK)

Project No.: TT011 – 91st Ave. (Pinnacle Peak Rd. to Happy Valley Rd.) –Warranty Deed; Parcel No.: 201-15-001B – Boyd E. Abbott and Nancy L. Abbott – for the sum of \$135,122.00..

W-3026-A
(DK)

Project No.: TT011 – 91st Ave. (Pinnacle Peak Rd. to Happy Valley Rd.) –Purchase Agreement and Escrow Instructions; Parcel No.: 201-15-001B – Boyd E. Abbott and Nancy L. Abbott.

DD-10655
(GL)

Project No.: TT011 – Wintersburg Road – Easement and Agreement for Highway Purposes - Parcel No.: 401-47-045 – Arizona Public Service Company, an Arizona corporation – for the sum of \$10.00.

DD-10655
(GL)

Project No.: TT011 – Wintersburg Road – Purchase Agreement and Escrow Instructions – Parcel No. 401-47-045 – Arizona Public Service Company, an Arizona corporation.

DD-10656
(GL)

Project No.: TT011 – Wintersburg Road – Easement and Agreement for Highway Purposes – Parcel No.: 401-47-050D – Arizona Public Service Company, an Arizona corporation – for the sum of \$10.00.

DD-10656
(GL)

Project No.: TT011 – Wintersburg Road – Purchase Agreement and Escrow Instructions – Parcel No. 401-47-050D – Arizona Public Service Company, an Arizona corporation.

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41. ANNEXATION BY THE CITY OF CHANDLER

Pursuant to A.R.S. §9-471(N), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the annexation by the City of Chandler of County right-of-way within a portion of Germann Road, East of Arizona Avenue and West of Hamilton Street, in accordance with Ordinance No. 3923. (C6407230000) (ADM4302-002)

City of Chandler
Ordinance No. 3923
Germann Road Annexation

Parcel 1

The North 55 feet of the West 438.70 feet of said Northwest quarter of the Northwest quarter of Section 10, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
Except the North 33 feet of the West 33 feet thereof.
Area contains 23,040.7 SQ.FT. (0.529 Acres) and is subject to all easements and restrictions of record.

Parcel 2

That portion of the Southwest quarter of Section 3, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows;
Commencing at the South quarter corner of said Section 3 at which a Brass cap in handhole was found;
Thence North 00°20'48" West along the East line of said Southwest quarter, a distance of 33 feet to the POINT OF BEGINNING;
Thence South 88°57'19" West along a line 33 feet North of and parallel with the South line of said Southwest quarter, a distance of 441.15 feet;
Thence North 00°22'41" West, a distance of 27 feet;
Thence North 88°57'19" East along a line 60 feet North of and parallel with said South line, a distance of 441.17 feet to the East line of the Southwest quarter of said Section 3;
Thence South 00°20'48" East along said East line, a distance of 27 feet to the POINT OF BEGINNING.
Area contains 11,911.3 SQ.FT. (0.273 Acres) and is subject to all easements and restrictions of record.

42. ADDENDUM TO RESOLUTION-REGIONAL SAFE ROUTES TO SCHOOL SUPPORT CENTER

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve of Addendum No. 1 to Resolution C6408034000, to authorize Maricopa County, through the Transportation Department, to provide up to \$1,900 as its portion of the \$28,500 local match pledged in the Regional Safe Routes to School Support Center grant application, which consists of 5.7% (\$24,412) match and a 1.0% (\$4,088) overmatch being provided by the local jurisdictions and community partners participating in the pilot project; and, further, to acknowledge that, under the terms of the grant, Valley Metro will be serving as the fiscal agent and grant administrator and will commit to: be ready to advertise the project within three years; pay for all cost overruns; and reimburse the Arizona Department of Transportation

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(ADOT) for all federal funds used, if the project is cancelled by Maricopa County – Valley Metro – RPTA. (C6408034001) (ADM2000) (C6408034000)

**RESOLUTION
ADDENDUM NO. 1**

**A RESOLUTION OF MARICOPA COUNTY BOARD OF SUPERVISORS
PERTAINING TO THE SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE
ARIZONA DEPARTMENT OF TRANSPORTATION
SAFETEA-LU ENHANCEMENT PROGRAM
ROUND XV**

WHEREAS, the Arizona Department of Transportation (ADOT) sought proposals from state and local agencies for projects related to all aspects of transportation enhancements; and

WHEREAS, Maricopa County through the County Department of Transportation, in partnership with Valley Metro - Regional Public Transportation Authority (RPTA), has submitted the Regional Safe Routes to School Support Center Project to be considered for funding from the ADOT Transportation Enhancement Program; and

WHEREAS, the Maricopa County Board of Supervisors approved Resolution C-64-08-034-0-00 on August 22, 2007, and further commitments with regard to local matching dollars and grant administration are now required by ADOT;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Maricopa County Board of Supervisors as follows:

1. THAT Maricopa County, through the Department of Transportation, is authorized to provide up to \$1,900 as its portion of the \$28,500 local match pledged in the Regional Safe Routes to School Support Center Project, which consists of 5.7% (\$24,412) match and a 1.0% (\$4,088) overmatch being provided by the local jurisdictions and community partners participating in the pilot project.
2. THAT, under the terms of the grant, Valley Metro will be serving as the fiscal agent and grant administrator and will commit to: be ready to advertise the project within three years; pay for all cost overruns; and reimburse ADOT for all federal funds used, if the project is cancelled by Maricopa County - Valley Metro – RPTA.

DATED this 19th day of September 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Lori Pacini, Deputy Clerk of the Board

43. BIDS AND AWARD FOR INTERSECTION IMPROVEMENTS AT PINNACLE PEAK ROAD AND 91ST AVENUE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the solicitation of bids for the Intersection Improvements at Pinnacle Peak Road and 91st Avenue, MCDOT Project No. T216; and approve the award to the lowest

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responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten percent. (C6408036500)

44. PROJECT AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Intergovernmental (Project) Agreement between the Maricopa Association of Governments (MAG) and Maricopa County, acting through the Maricopa County Department of Transportation for regional reimbursements associated with the design, right-of-way and construction costs of roadway improvements to Power Road from Baseline Road to East Maricopa Floodway (EMF), Project #T090. The total amount of reimbursements expected to be received by MAG for this Project is \$7,485,000. (C6408038200)

45. SETTLEMENT AND ADDITION OF PROJECT AND CORRESPONDING EXPENDITURE BUDGET

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a cash settlement of \$4,240 in lieu of mitigation in connection to the Chandler Heights Road at the Eastern Canal project (T094) with Mr. and Mrs. Dennis Bauman, who resides at 2756 E. Cherrywood Place, Chandler, Arizona, 85249. The funding for the cash settlement is in FY 2007-08.

Pursuant to A.R.S. §42-17106 (B), also approve the addition of the following project and corresponding expenditure budget to the FY 2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08).

- Project T094, Chandler Heights Road Box Culvert at the Eastern Canal with a budget of \$4,500.

Also approve an amendment to the current FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234) by decreasing the Year 1 (FY 2007-08) expenditure budget for the following projects:

- Project T002, Project Reserve Account capital budget by \$4,240.
- Project T006, Unallocated Force Account capital budget by \$260.

The requested adjustments result in a net budget impact of zero. (C6408044500) (ADM2000-003) (ADM2000-004)

46. IGA FOR TRAFFIC SIGNAL AT INTERSECTION OF RIGGS ROAD AND POWER ROAD

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the intergovernmental agreement between the Town of Queen Creek and Maricopa County Department of Transportation for the design and installation of a traffic signal at the intersection of Riggs Road and Power Road (T262). The total cost of the Project is currently estimated at \$1,055,000.

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Also, per A.R.S. §42-17106 (B), approve an amendment to the current FY 2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234) by decreasing the Year 1 (FY 2007-08) expenditure budget for Project T002, Project Reserve Account capital budget by \$275,000.

In addition, increase the Year 1 (FY 2007-08) expenditure budget for Project T262, Traffic Signal Improvements at Riggs Road and Power Road capital budget by \$275,000.

The requested adjustments result in a net budget impact of zero. (Supervisory District 1) (C6408045200)

47. EAST VALLEY PARTNERSHIP FOR PLANNING OF THE SUPERSTITION VISTAS AREA

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve contributing funds to the East Valley Partnership (EVP) for the planning of the Superstition Vistas Area. The Maricopa County Department of Transportation will be contributing \$20,000 each year for the next three years. The East Valley Partnership (EVP) is concerned with growth in the far East valley and is developing a comprehensive plan to help guide future development in the area. The study effort is in partnership with Pinal County, City of Mesa, City of Apache Junction, Town of Queen Creek, Salt River Project, Central Arizona Project, Lincoln Institute of Land Policy/Sonoran Institute of State Trust Lands Joint Venture and the Arizona State Land Department. (C6408052100) (ADM2001)

BOARD OF SUPERVISORS

Clerk of the Board

48. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

Item: The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003) Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

No vouchers were presented for approval or ratification and no update was given by staff at this meeting.

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Transportation

49. ROAD FILE DECLARATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, October 17, 2007.

- a. **Road File No. (5367).** In the vicinity of West Bethany Home Road and North El Mirage Road (Wigwam Creek North Phase 2). (C6408039000)
- b. **Road File No. (5366).** In the vicinity of West Bethany Home Road and 127th Avenue (Wigwam Creek North Phase 2B). (C6408040000)
- c. **Road File No. (5365).** In the vicinity of Glendale Avenue and 129th Avenue (Capistrano North and South). (C6408041000)
- d. **Road File No. (5364).** In the vicinity of Hastings Way and 27th Avenue (Anthem Pulte Unit No. 39). (C6408042000)
- e. **Road File No. (5363).** In the vicinity of Hastings Way and 27th Avenue (Anthem Pulte Unit No. 25). (C6408043000)

50. PLYMOUTH STREET IMPROVEMENT DISTRICT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to set a public hearing for 9:00 a.m., Monday, October 1, 2007, to hear a petition to organize the Plymouth Street Improvement District, located in the vicinity of 78th Street and McDowell Road. A petition with the requisite number of signatures has been presented requesting the formation of a Paving Improvement District in the vicinity of 78th Street and McDowell Road, to be known as the Plymouth Street Improvement District. (C6408048000) (ADM4302)

SUPPLEMENTAL ITEMS

S-3. APPOINTMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Official Appointments of Vince Imbordino, Bryon Aven, Hermelinda Garcia, Steven Minert, Kyle Reedy, Donna Coleman, and Gretel Carroll as Special Deputy County Attorney.

Risk Management

S-4. SETTLEMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the following:

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- a. Settlement in the amount of \$150,000 between Maricopa County and Plaintiff Rosaline Villeneuve, concerning Maricopa County Superior Court No. CV2006-000810 (Claim No.: MM 9002029648) and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This item was discussed in Executive Session on September 17, 2007. (Subject to approval by the Office of Management and Budget.) (C7508017100)
- b. Settlement in the amount of \$450,000 between Maricopa County and Plaintiff Flora Freney, concerning US Federal District Court No. CV2005-004981 (Claim No.: MM 2611027965 and GL 5413029598) and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This item was discussed in Executive Session on September 17, 2007. (Subject to approval by the Office of Management and Budget.) (C7508019100)

Sheriff

S-5. COUNTERMEASURES™ RISK ANALYSIS SOFTWARE TERRORISM TOOL KIT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve acceptance of the CounterMeasures™ Risk Analysis Software Terrorism Tool Kit from Alion Science and Technology (software/hardware) through the Commercial Equipment Direct Assistance Program (CEDAP) on behalf of the Department of Homeland Security, Office of Grants and Training. This software/hardware will be utilized to identify, quantify and manage risk to effectively allocate resources within a risk based decision making process. The estimated value of the software/hardware is \$63,230. (C5008530M00)

SETTING OF HEARINGS

All hearings will be held at 9:00 a.m., in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, unless otherwise noted.

S-6. PLANNING AND DEVELOPMENT CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for October 1, 2007, at 9:00 a.m., as follows:

Hidden Water Ranch - Development Master Plan - **DMP2006007**

Lake Pleasant 5000 - Development Master Plan - **DMP2005012**

Buckeye Valley RV Resort - Zoning reversion and SUP revocation - **Z2002032 & Z2002033**

CONSENT AGENDA

Clerk of the Board

51. ASRS CLAIMS

No request to authorize payment of claims was submitted by the Arizona State Retirement System for this meeting. (ADM3309-001)

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52. CANVASS OF ELECTIONS

No request to accept the canvasses of elections submitted by special districts was received for this meeting. (ADM4300)

53. CLASSIFICATION CHANGES

No recommendation was received from the Assessor to change classification and/or reduce the valuation of certain properties for this meeting. (ADM723)

54. CHECK ENFORCEMENT FUND QUARTERLY REPORT

In accordance with A.R.S. §13-1811(F) County Bad Check Trust Fund, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept the quarterly financial reports of all revenues and expenditures from the Check Enforcement Fund for the periods of July 2006 through June 2007. Report is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule. (ADM404-001)

55. COMPROMISES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept the requested compromises as payment in full. This item was discussed in Executive Session on August 20, 2007. (ADM407)

Mary Takai \$15,367.99

56. DONATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept the donation reports received from county departments for August 2007. (ADM1810)

Sheriff's Office, Cash donation of \$1,346.70

57. DONATIONS ANNUAL REPORTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept the annual reports received from county departments and districts for FY 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810)

58. DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve and/or ratify as requested that duplicate warrants be issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

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COUNTY

NAME	WARRANT	FUND	AMOUNT
John Holman	370059367	Expense	\$1,250.00
Isaac Baidoo	280007646	Payroll	\$2,074.89
El Mirage Municipal Court	370057864	Expense	\$540.00

SCHOOLS

NAME	SCHOOL	WARRANT	AMOUNT
Purcell Tire & Rubber	Littleton Elem SD #65	470122513	\$863.03
Baudville Inc.	Isaac SD #5	470125630	\$104.40
Serina Varney	Littleton Elem SD #65	480008202	\$270.00
Socorro Chacon	Osborn SD #8	170113306	\$142.81
Teaching Stuff	Tolleson Union High SD #214	480001201	\$67.77
Backflow Prev. Device Insp. Inc.	Madison Elem SD #38	170041238	\$635.00
Waxie	Littleton Elem SD #65	470122514	\$847.05
Tiffany David	Fowler SD #45	180001710	\$210.22
Michael John Dooen	Saddle Mountain Unified SD #90	180008631	\$1,515.89
Jazmin Buenrostro	Osborn SD #8	170117893	\$8.47
Jazmin Buenrostro	Osborn SD #8	180000707	\$277.15
Galina Gibkhey	Balsz SD #31	180004500	\$1,198.13
Banner Estrella Occupational	Liberty SD #25	470036491	\$27.00
Roy Newton	Phoenix Elem SD #1	180013017	\$1,193.29
Shannon O'Keefe-Dame	Alhambra SD #68	180003229	\$2,330.05
Vicki Musick	Litchfield Elementary SD #79	180006827	\$1,170.51

59. MARKET RANGES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. (ADM3300-006)

Market Range Title	Minimum	Minimum	Midpoint Hiring Max	Midpoint Hiring Max	Max	Max
Code Enforcement Off.	\$17.91	\$37,252.80	\$22.82	\$47,455.20	\$27.72	\$57,657.60
Deputy Director - P & D	\$38.75	\$80,600.00	\$47.18	\$98,134.40	\$55.61	\$115,668.80
Road Technician	\$15.94	\$33,155.20	\$19.68	\$40,924.00	\$23.41	\$48,692.80
Materials Testing Tech	\$16.72	\$34,777.60	\$20.75	\$43,149.60	\$24.77	\$51,521.60
Traffic Signal Tech	\$17.76	\$36,940.80	\$23.52	\$48,911.20	\$29.27	\$60,881.60

60. MINUTES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the minutes of the Board of Supervisors meetings held April 30, 2007.

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61. PRECINCT COMMITTEEMEN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and/or removal of precinct committeemen due to disqualification in accordance with lists dated September 19, 2007, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

62. SECURED TAX ROLL CORRECTIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve requests from the Assessor for corrections of the Secured Tax Roll Resolutions. (ADM705)

YEAR	FROM	TO	AMOUNT
2001	40914	40916	-\$409,213.50
2002	20475	20477	-\$330,523.68
2003	28163	28167	-\$279,654.88
2004	16039	16057	-\$298,395.82
2005	19381	19418	-\$85,670.00
2006	13330	13426	-\$258,787.20

63. SETTLEMENT OF TAX CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the settlement of tax cases dated September 19, 2007. (ADM704)

2006	2006/2007
CV2005-017476	TX2006-000312
ST2005-000095	2007
TX2006-000330	CV2006-053022
TX2005-050370	TX2006-000351
	TX2006-000428

64. STALE DATED WARRANTS

No claims were presented for this meeting. (ADM1816)

65. TAX ABATEMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (ADM708)

PARCEL NO.	YEAR	AMOUNT
122-21-114	1998	\$1,224.08

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PARCEL NO.	YEAR	AMOUNT
101-17-259C	2003	\$6,054.04
146-21-072A	2003	\$6,366.70
146-21-072A	2004	\$6,074.02
218-26-009M	2001	\$65.91
218-26-009M	2002	\$38.40
218-26-009M	2003	\$34.45
218-26-009M	2004	\$30.68
218-26-009M	2005	\$26.94
218-26-009M	2006	\$32.66
218-26-009M	2007	\$29.18
112-17-120	2001	\$614.48

66. PUBLIC COMMENT ON MATTERS PERTAINING TO MARICOPA COUNTY GOVERNMENT

No member of the public came forward to speak at this meeting. (ADM605)

67. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Wilcox said the dedication of the El Rio Project on the Gila River would take place tomorrow (September 20, 2007) and invited Board Members and all other interested parties to attend. This will mark the trail head and site for the new education center and is surrounded by beautiful and pristine desert landscapes. She lauded those at the Flood Control District who have worked so long and hard to bring this about, saying it will do a vast amount of good for residents in the present and future. (ADM606)

Chairman Brock expressed his and the County's shock, sorrow and sympathy to the wife, children and family members, and also to fellow officers of Phoenix Police Officer Nick Erfle who was tragically shot and killed while carrying out his public service.

Supervisor Stapley reminded all that the dedication and grand opening of the 'Elijah Wong Veterans' Service Center' in honor of Elijah Tai Wah Wong, a Maricopa County Probation Officer who died in Sanjar, Iraq, on February 9, 2004, would be held next Thursday, September 27, 2007. Elijah Wong, age 42, was a sergeant in the Arizona National Guard, a husband, and the father of three children. Mr. Wong was the first Maricopa County employee to die in Operation Iraqi Freedom.

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MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Lori Pacini, Deputy Clerk of the Board